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6 Attorneys for Plaintiff
VNUS Medical Technologies, Inc.

7 UNITED STATES DISTRICT COURT
8
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 VNUS MEDICAL TECHNOLOGIES, INC.,) Case No.: C05-02972 MMC (JL)
11 Plaintiff,)
12 v.)
13 DIOMED HOLDINGS, INC., DIOMED)
INC., ANGIODYNAMICS, INC., and)
VASCULAR SOLUTIONS, INC.,)
15 Defendant(s).)
16)

**STIPULATION AND ORDER
REGARDING DISCLOSURE AND
DEPOSITION OF POTENTIAL TRIAL
WITNESSES**

17 In order to efficiently manage discovery, the parties in this case have conferred and
18 respectfully request that the Court enter an order in accordance with the stipulation among the
19 parties as follows:

20 1. On or before September 10, 2007, each Party will disclose to the opposing side all
21 persons they intend to offer as witnesses in their case in chief at trial. In addition, to the extent such
22 witnesses were not identified in the Party's Initial Disclosures, the Party intending to call such
23 witness will promptly identify such witness as soon as known and, in any event, before September
24 10, 2007. Except for witnesses offered in rebuttal to evidence offered by another party, the Parties
25 will be barred from introducing testimony of witnesses not disclosed to the other side by September
26 10, 2007.
27
28

[PROPOSED] ORDER AND STIPULATION REGARDING DISCLOSURE
AND DEPOSITION OF POTENTIAL TRIAL WITNESSES, C05-02972 MMC (JL)

1 2. Each side shall be permitted to depose, no later than four weeks before the
2 commencement of trial, any person identified as a potential trial witness by the opposing side, to
3 the extent such individuals have not previously been deposed in this litigation.

4 By and through the undersigned counsel, the Parties move for entry of an order pursuant to
5 the terms of this stipulation.

6 Dated: May 25, 2007

ATTORNEYS FOR PLAINTIFF
VNUS MEDICAL TECHNOLOGIES, INC.

8 _____
9 /s/
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14 Dated: May 25, 2007

ATTORNEYS FOR DEFENDANT
ANGIODYNAMICS, INC.

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17 /s/
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1 Dated: May 25, 2007

ATTORNEYS FOR DEFENDANTS
DIOMED HOLDINGS, INC. and DIOMED,
INC.

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4 /s/
5 Michael A. Albert
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13 Dated: May 25, 2007

14 ATTORNEYS FOR DEFENDANT
15 VASCULAR SOLUTIONS, INC.

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17 /s/
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25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: May 29, 2007

27 
28 MAXINE M. CHESNEY
United States District Judge

[PROPOSED] ORDER AND STIPULATION REGARDING DISCLOSURE
AND DEPOSITION OF POTENTIAL TRIAL WITNESSES, C05-02972 MMC (JL)